

Case 1:07-cv-11211-DLC Document 33 Filed 08/13/2008

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SOUTHERN DISTRICT OF NEW YORK OF THE  
UNITED STATE DISTRICT COURT

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TEN SEVENTY ONE HOME CORP. and MORTON G.  
YUTER,

Plaintiffs,

-against-

LIBERTY MUTUAL FIRE INSURANCE COMPANY,

Defendants.  
-----X

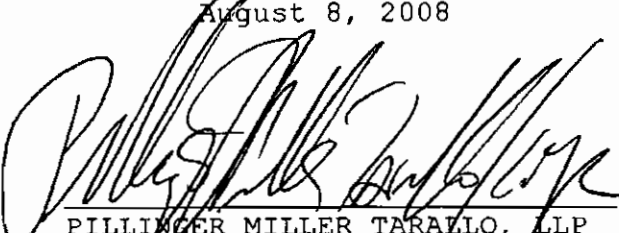
**STIPULATION OF  
DISCONTINUANCE  
WITH PREJUDICE**

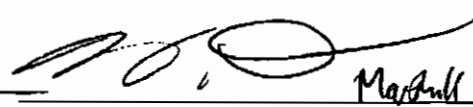
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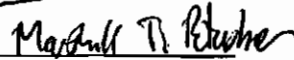
Hon. Denise Cote,  
U.S.D.J.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys for the respective parties to the above-captioned matter that, the plaintiff's action is hereby dismissed, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, with prejudice and without costs to any party as against another. This stipulation may be filed without further notice with the Clerk of the Court.

Dated: Elmsford, New York  
August 8, 2008

  
PILLINGER MILLER TARALLO, LLP  
BY: C. WILLIAM YANUCK (CY2008)  
Attorneys for Plaintiffs  
Ten Seventy One Home Corp., and  
Morton G. Yuter  
570 Taxter Road, Suite 275  
Elmsford, New York 10523  
(914) 703-6300  
Our File No. HC-00103.1/CWY

  
JAFJE & ASHER  
Attorney for Defendant  
Liberty Mutual  
600 Third Avenue  
9th Floor  
New York, New York 10016  
(212) 687-3000

  
Marshall T. Blum  
CWP-2532

*The Clerk of Court  
shall close the case.*

*So ordered.  
Denise Cote  
August 13, 2008*